

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1129 – SB 1266

March 12, 2014

SUMMARY OF ORIGINAL BILL: Authorizes teachers and administrators to use, read, or post excerpts from the United States Constitution in a public school classroom, building, or during an event. Requires each student to be taught the foundational instruments, mechanisms, and values of American government. Requires a course of such instruction to be taught in all public schools. Sets forth requirements for such courses that shall be used. Requires local education agencies (LEAs) to report to the Commissioner of Education their compliance with the content of courses as set forth in this bill. Copies of their reports shall be retained in each school for access by parents and the public.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (014202): Adds language to the original bill as follows: enacts the “Fair and Clear Teacher Evaluation System Act” which prohibits teaching evaluations from being based on test scores or other data from students in subjects, classes, or grades in which the teacher did not teach or have input. Requires teaching evaluations to be transparent and provide consistent and valid measurements and to use a pre- and post-test system within a teacher’s class and subject that is developed by each local education agency (LEA). Prohibits student data from students who were not present in the teacher’s class at the beginning of the year or semester from being included in the teaching evaluation. Requires the observation portion of the teaching evaluation to be increased and given increased scoring weight, if pre-test and post-test data is not available. Prohibits the use of school-wide data if classroom data is available for use.

Requires 50 percent of the evaluation criteria that is comprised of student achievement data to be taken from the pre- and post- test system. Requires LEAs to allow a reduction in the use of student growth data to determine a teacher’s overall evaluation score, if the teacher has achieved an effectiveness level of “above expectations” or “significantly above expectations” on the observation portion of the evaluation, but the student growth data portion of the evaluation reflects an effectiveness level of “below expectations” or “significantly below expectations”. Requires the evaluation structure to minimize paperwork, reporting, and testing so that instructional time may increase.

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FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures - \$85,900

Increase Local Expenditures - \$248,597,000*

Assumptions for the bill as amended:

- The Department of Education will hire one new employee for the state evaluation team to support LEAs in the development, modification, and reporting of new pre- and post-tests. The recurring increase in state expenditures is estimated to be \$85,876 (\$70,000 salary + \$15,876 benefits).
- Students in all subjects will be required to take pre- and post-tests.
- There are an estimated 930,000 students in grades kindergarten through 12th grade.
- LEAs will purchase pre- and post-tests.
- In subjects and grades that are currently not a part of the state's standardized test system, each student will take a minimum of two tests in three subjects; for a total of six tests per student.
- Each test will cost \$7.50 per student; for a total of \$45 (6 tests x \$7.50) per student.
- The increase in local expenditures for subjects and grades which are not a part of the state's assessment system is estimated to be \$41,850,000 (\$45 x 930,000).
- Based on information from the Department of Education, a total of 13,783,131 estimated combined pre- and post-tests will be given in subjects and grades that are currently a part of the state assessment system at a cost of \$15 (\$7.50 x 2 tests).
- The increase in local expenditures to purchase pre- and post-tests for subjects and grades that are currently a part of the state assessment system is estimated to be \$206,746,965 (\$15 per combined test x 13,783,131 combined tests).
- The total recurring increase in local expenditures is estimated to be \$248,596,965 (\$41,850,000 + \$206,746,965).
- The Race to the Top grant funding and the state's federal No Child Left Behind (NCLB) waiver were received, partially on the basis of Tennessee's new teacher evaluation model. The full Race to the Top grant amount is \$501,000,000. Based on information provided by the Department of Education, the federal government may require the state to repay a portion of the grant funding that has been drawn down; withhold future grant funding; or both.
- Any fiscal impact on state or local expenditures as a result of changing curriculum as it relates to the foundational instruments, mechanisms, and values of the American government and requiring such a course to be taught in all public schools is estimated to be not significant.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

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